IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 8TH NOVEMBER 2006 / 17TH KARTHIKA 1928

Bail Appl..No. 6530 of 2006()

CRIME NO.599/2002 OF KOLLAM EAST POLICE STATION
IN LP 32/04 IN SC.1656/2003 of ADDL. DISTRICT COURT (ADHOC), KOLLAM

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PETITIONER/2ND ACCUSED:

NOUSHAD, S/O. IBRAHIM KUTTY,
MOOLAMKARA PADINJATTATHIL,
KANNIMEL CHERRY, SAKTHINKULANGARA VILLAGE,
KOLLAM.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.RENJITH B.MARAR
SRI.DILEEP P.PILLAI
SRI.LAKSHMI RENJITH
SRI.T.K.SUJITH

RESPONDENTS:

THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. No. 6530 of 2006

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Dated this the 8th day of November, 2006

O R D E R

The petitioner is the second accused in Crime No.599/2002 of Kollam East Police Station, for the offence punishable under Section 402 of the Indian Penal Code. The investigation is complete and the court below have continued with the trial, after accepting the final report filed by the Investigating Officer. The second accused, the petitioner herein, was absconding. The first accused faced the trial and was convicted. The petitioner is now before this Court under Section 438 Cr.P.C, as a non-bailable warrant was issued against him, against the matter that is pending as L.P.No.32/2004 of the Additional Sessions Court, (Adhoc I), Kollam.

2. After hearing both sides and considering the facts that are placed before me, together with the fact that the petitioner was absconding during the trial of Sessions Case No.1656/2003 of the court below, which is now pending as L.P.No.32/2004, I direct the petitioner to surrender before the

Additional Sessions Court on 15/11/2006, at 11 a.m..

3. The learned Sessions Judge shall allow the petitioner to be on bail, on imposing such conditions, which are deemed necessary, so that he will be available before that court to face the trial of the sessions case, without any fail.

(J.M.JAMES)
Judge

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